

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Alan L. Dunford,

Case No. 3:11CV2028

Petitioner

v.

**ORDER**

Terry Tibbals,

Respondent

This is a habeas corpus case under 28 U.S.C. § 2254. Following reference to a United States Magistrate Judge for a Report and Recommendation, the Magistrate Judge has submitted a Report and Recommendation recommending denial of the petition. (Doc. 15).

The petitioner has not filed a timely objection, though being notified of his need to do so.

On *de novo* review of the Report and Recommendation, I find that the Magistrate Judge's recommendation of dismissal is well-taken.

It is, therefore,

**ORDERED THAT:**

1. The Report and Recommendation of the Magistrate Judge (Doc. 15) be, and the same hereby is adopted as the order of this court; the Clerk shall enter a dismissal accordingly; and
2. An appeal from this order could not be taken in good faith, and reasonable jurists could not reasonably disagree with this order; accordingly, no certificate of appeal

shall issue, and no appeal shall be taken without prepayment of the requisite filing fee.

The Clerk shall issue an order accordingly.

So ordered.

/s/ James G.Carr  
Sr. U.S. District Judge